to the ends of justice." This section has been repeatedly before the courts for construction and it has been held that an action for damages against a receiver appointed by a federal court may be brought in a state court and its judgment will be conclusive as to the justice and amount of the claim, the federal court, however, having jurisdiction to regulate the time and manner of its satisfaction in the interests of all the creditors. *Dillingham* v. *Hawk*, 9 C. C. A. 101, 60 Fed. Rep. 494; *Gableman* v. *Ry. Co.*, 179 U. S. 335. And the case may not be removed to the federal court at the request of the receiver on the sole ground of his appointment by that court. *Gableman* v. *Ry. Co.*, *supra*; *Bausman* v. *Dixon*, 173 U. S. 113; *Pope* v. *Ry. Co.*, 173 U. S. 573. But whether a receiver appointed by a federal court may be enjoined in a state court is a question which, so far as we have been able to find, has not been before the United States courts. In Wisconsin, the jurisdiction of the state court to enjoin a federal receiver from interfering with the property of the plaintiff which has been taken under defective condemnation proceedings has been upheld. *Stoltz* v. *Ry. Co. et al.*, 104 Wis. 47, 80 N. W. Rep. 68. In a very recent Wisconsin case, however, an action brought by the Attorney-General to enjoin a federal receiver from tearing up and selling the rails in pursuance of an order of the federal court in foreclosure proceedings, it was held that upon application of the receiver the case must be transferred to the federal court. *State* v. *Frost, Receiver*, 113 Wis. 623. This case was very carefully considered and seems to be in line with the principal case.

DAMAGES—AUTOMOBILES—FRIGHTENING HORSES—EXCESSIVE SPEED,—Plaintiff's horse was frightened by the approach of defendant's automobile, which was traveling at high speed and making a great noise. The evidence showed that defendant must have observed that plaintiff's horse was becoming excited and unmanageable; that nevertheless he did not for some moments after this had become known to him slow up his machine. The plaintiff recovered damages in the lower court and the defendant appealed. *Held*, that the judgment be affirmed. *Shinkle* v. *McCullough* (1903),—Ky.—, 77 S. W. Rep. 196.

The court lays down the rule that while automobiles are a lawful means of conveyance, and have equal rights upon the public roads with horses and carriages, their use should be accompanied with such degree of prudence in management and such consideration for the rights of others, as are consistent with their safety. If, as the jury found by their verdict, the defendant knew or could by the exercise of ordinary care, have known, that the machine in his possession and under his control had so far excited plaintiff's horse as to render him dangerous and unmanageable, it was his duty to have stopped his automobile and taken such other steps for plaintiff's safety as ordinary prudence might suggest, The decisions in this case and in the similar case of *Thies* v. *Thomas*. 77 N. Y. Supp. 276, indicate that the tendency of the courts is in the direction of exacting a high degree of care from owners and occupants of automobiles.

DAMAGES—MENTAL SUFFERING PRODUCED BY FRIGHT.—By reason of negligence, certain railway cars belonging to defendant were backed off the track directly towards and to a point within fifteen feet of plaintiff's residence. Plaintiff was at the time in her residence and the occurrence caused her great fright, producing nervous prostration and physicial disability. She alleged gross negligence on the part of defendant, who in reply entered a general demurrer. *Held*, that no cause of action had been stated. *Morse* v. *Chesapeake & Ohio Ry. Co.* (1903),—Ky.—, 77 S. W. Rep. 361.

The court in this case takes the ground that in an action for persona